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C O N F I D E N T I A L SECTION 01 OF 03 RIYADH 009142

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DHAHRAN SENDS
PARIS FOR ZEYA, LONDON FOR TSOU

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TAGS: [PGOV](#) [PREL](#) [PTER](#) [KIRF](#) [SA](#)
SUBJECT: SHI'ITE COUNCIL MEMBER PREDICTS SACKING OF SAUDI
ARABIA'S LEADING SHI'A JUDGE

REF: A. RIYADH 8582
[1](#)B. RIYADH 3154 (NOTAL)

Classified by Consul General John Kincannon for reasons 1.4
(b) and (d).

Summary

[1](#)1. (C) Shi'a activist Jafar Al-Shayeb described efforts to oust Abdullah Al-Khunaizi, Qatif's Shi'a judge, saying that he was not effective as a representative of the community given "new social forces" gaining strength in Qatif. He said that the Shi'a were pleased with the signals from King Abdullah but waiting for concrete initiatives to help realize their goals of religious freedom and an end to discrimination. He and his colleague Mohammed Mahfoodh argued that pluralism in Iraq, if it were achieved in a stable way, would set a good example for the region's governments. They also downplayed the idea that Iran was actively trying to influence the Saudi Shi'a. The movement to oust Judge Khunaizi is the most striking example we have seen to date of the struggle for leadership in the Qatifi Shi'a community, and we will follow it closely. End summary.

[1](#)2. (SBU) The CG and PolOff called on Jafar Al-Shayeb, a Shi'a activist, businessman, and elected member of the Qatif municipal council, at his offices in Qatif on December 11. Mohammed Mahfoodh, a writer on Islamic issues and a political associate of Al-Shayeb's, also joined the meeting.

A Judgeship in the Balance

[1](#)3. (C) Noting that the CG had recently called on Abdullah Al-Khunaizi (ref A), the Shi'a judge in Qatif, Al-Shayeb began the conversation by saying that the Ministry of Justice was likely to replace Judge Khunaizi with Ghalib Al-Hammad, a Shi'ite from Tarut Island who had studied Shi'a jurisprudence in Qum and was currently in Iran. Al-Shayeb said that he hoped Al-Hammad would be more successful than Judge Khunaizi in working with the Minsitry of Justice to define and formalize the authority of the Shi'a court vis-a-vis the Sunni courts and to increase the staffing and capabilities of the Shi'a court.

[1](#)4. (C) Asked by the CG why the Ministry of Justice would want to replace Judge Khunaizi, Al-Shayeb explained that "new, more powerful social forces" were at work in Qatif and that Al-Khunaizi did not represent these forces. Traditional leaders like the large families, wealthy merchants, and traditional religious figures no longer represented the diversity of the community, Al-Shayeb said. "The municipal elections were a real turning point. We now are seeing the rise of younger religious leaders, who are able to think more openly." He argued that Judge Khunaizi was not effective and expressed confidence that Al-Hammad would be "more open, more communicative, and more able to resolve problems." The Ministry of Justice, Al-Shayeb said, had come to realize the consensus of the community and was therefore poised to replace Judge Khunaizi, a member of a large Qatifi family who represented the traditional establishment, with Al-Hammad, a younger figure from a less well-known family and from an area outside of central Qatif.

Shi'a and Liberal Reformers Waiting for Change

[1](#)5. (C) Speaking more broadly about recent changes in conditions for the Shi'a, Al-Shayeb said that there are "signals" from King Abdullah that he will act to improve conditions for the Shi'a, but as yet no "initiatives." He gave examples of how Shi'a are not represented in the government bureaucracy, even as it relates to Qatif: "We have not had a Shi'a mayor for thirty years, and even the local heads of the government ministries are from outside." Asked by the CG what requests the Shi'a were making of King

Abdullah, Al-Shayeb said, "We are asking for an end to discrimination against the Shi'a and for religious freedom - the freedom to have Shi'a books, to study religion from a Shi'a perspective, and to have Shi'a religious educators." Al-Shayeb and Mahfoodh also discussed the Shi'a imprisoned in connection with the 1996 Khobar Towers bombings, saying that the individuals had either not been tried, had not been tried fairly, or had not received any sentence. Mahfoodh asked rhetorically, "If the government is rehabilitating the extremists coming back from Iraq and letting them go, then why can't it at least do the same with the Shi'a prisoners?"

16. (C) Al-Shayeb, who is also active in the liberal reform movement, said that reformers were giving King Abdullah breathing space so that he could introduce reforms without additional pressure: "Let the Sunni extremists be the ones who force the pressure on him for now." The reformers, he said, were using this time to build more bridges at a non-governmental level with international civil society, citing as an example an upcoming seminar with the Washington, DC-based Center for the Study of Islam and Democracy, to be held in Riyadh on December 29. Al-Shayeb noted on the other hand that the perception of official U.S. efforts to promote democracy in the region was "not positive," given people's "skepticism" about U.S. methods and goals.

Iraq: A Good Example if Stability Prevails

17. (C) Al-Shayeb and Mahfoodh were optimistic that developments in Iraq would have a good impact on the region as long as stability was achieved. The Saudi Shi'a are glad that Saddam is gone and that the Iraqi Shi'a will play a major role in the new government, Al-Shayeb explained, but "people are fearful about the extremists in Iraq, and worried they will come back to Saudi Arabia as they did from Afghanistan." Mahfoodh continued: "The central lesson from Iraq is pluralism, that no one group can govern Iraq by itself. There should be greater diversity and participation in government throughout the region." Both argued that moderate Shi'a, in the mould of Ayatollah Sistani, would prove more influential in Iraq than extremist Shi'a as long as stability prevailed.

"There is No Role for Iran Here"

18. (C) Asked by the CG what role Iran was playing among the Shi'a in Saudi Arabia, Mahfoodh replied, "There is no role for Iran here." In response to the CG's observation that many Saudi Shi'a appeared to go to Iran for religious study, Mahfoodh drew a distinction between the religious schools and the government. "Each school is under the authority of the marja', not the (Iranian) state," he explained. "It is the marja' who funds the school and pays a stipend to the student." Mahfoodh and Al-Shayeb noted that study in Qum did not necessarily imply exposure to Iranian revolutionary-style instruction or an inclination toward Iran's ideology. The inability of the Saudi Shi'a to train their own "home grown" clerics and the problems of sending students to Najaf for the past fifteen years, they explained, had forced would-be Saudi Shi'a clerics to study in Qum. They noted that in Qum there are many schools, including schools run by followers of Najaf-based clerics such as Sistani and Al-Najafi, and that most Saudi students study in these schools rather than more radical or activist schools run by Iranians.

19. (C) Al-Shayeb qualified Mahfoodh's distinction between the religious schools and the government somewhat, noting that the schools and students did have to interact with the Iranian state on logistical issues like visas and permits and conceding that Iran did have an opportunity to try to influence students, "like we saw in the 1980s." He acknowledged that Saudi Hezbollah still operated in Qatif but said that it was now purely a social and cultural organization, no longer interested in spreading revolutionary political ideology. Mahfoodh opined that Shi'a throughout the region identified closely with their country, citing the example of a referendum in Bahrain in the 1970s when Bahraini Shi'a rejected the idea of uniting with Iran.

Comment

110. (C) Ref B provides biographic information on Al-Shayeb and notes that he appears to have a foot in both the liberal and Islamist camps: on the one hand, he supports human rights and political reform and has signed several petitions advocating a liberal platform; on the other hand, he has close ties to Hassan Al-Saffar and received strong support from Shi'a Islamists in the municipal council elections. Although we did not talk about Al-Saffar with Al-Shayeb, we suspect that they are both involved in maneuvering to have the Ministry of Justice replace Judge Khunaizi with someone

who is more aligned with them politically and/or religiously (see ref A for Judge Khunaizi's attack on Al-Saffar and his allies). Al-Shayeb's explanation of why the replacement was in the interests of the Shi'a community at large - that Al-Khunaizi could not represent its "new social forces" - was vague and unconvincing, and he never clarified what he meant by these "new forces" despite probing questions from the CG. It may grow increasingly difficult for Al-Shayeb and Al-Saffar to simultaneously position themselves as leaders of the Shi'a community, to maintain strong connections with liberal reformers throughout the Kingdom, and to derive organizational and financial support from Shi'a Islamist networks. We will follow the issue of Judge Khunaizi's potential replacement closely, as we suspect it will be a contentious and revealing issue in Qatif. End comment.

(APPROVED: KINCANNON)
OBERWETTER